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SUBJECT: SPECIAL CONFLICT ADVISOR SHORTLEY'S BRIEFINGS ON HUMAN RIGHTS VIOLATIONS IN NORTH KIVU

¶1. (SBU) Summary. Assistant Secretary Frazer's Special Conflict Advisor, Tim Shortley, together with officers from AF/RSA (Julie Chalfin) and DoD/OSD (Lt. Col. Mark Ellington USA), met with UN human rights specialists November 1 in North Kiv to understand the impact and pervasiveness of human rights abuses in the Democratic Republic of Congo. Sites visited by the delegation included one in Rubare where mass graves were discovered in early September and a hospital in the North Kivu territory of Rutshuru that treats thousands of victims of rape and sexual torture per year. The UN specialists provided briefings at each of the sites. End Summary.

¶2. (SBU) Background. Human rights abuses have progressively increased in North Kivu since tensions in eastern DRC started in 1996. According to UN protection and human rights specialists, arbitrary arrests and detention, disappearances, arbitrary executions, sexual violence and extortion are widespread in North Kivu. DRC's National Army (FARDC) personnel are accused of being the leading perpetrators of these abuses. However, the lack of reliable information, including the inability for victims to identify perpetrators and limited access to hospital records, makes it difficult to monitor these claims. FARDC lives amongst the population and because insufficient pay are suspected of feeding off the population.

#### Victims of Sexual and Gender Based Violence

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¶3. (U) The delegation visited a North Kivu hospital that in 2007 alone treated approximately 2,300 victims of sexual and gender based violence (SGBV). The UNICEF Child Protection and Gender Violence Specialist indicated that while the majority of SGBV crimes are committed by men from armed groups (Congolese Armed forces and militia men), reports of civilian perpetrators are increasing. According to the testimonies of survivors, 52% of the perpetrators are FDLR/Interhamwe, 14% the National Army (FARDC), 14% Mai Mai, 10% civilians (mainly family members or neighbors), 5% unknown armed men, 4% CNDP (rebels loyal to Congolese General Laurent Nkunda), and 1% from the National Police.

¶4. (SBU) Daily reports of rapes and attacks on IDP's are linked to the increased presence of the FARDC in areas where IDP's are congregated. Trends indicate a relation between the movement of the military and an increase in reported cases of rape where the military has moved. UNHCR has recently completed training of police to monitor IDP camps.

¶5. (SBU) In late November UNICEF launches a two year global campaign to mobilize political will and resources to end rape and sexual torture against women and girls in DRC, call for specific measures to end impunity and punish perpetrators, and economically empower women and girls so they can become leaders in rebuilding of a country devastated by conflict. The campaign is entitled "Stop Raping Our Greatest Resources: Power to the Women and Girls of the Democratic Republic of Congo." The campaign will be officially

launched during the annual 16 Days of Activism against Violence against Women between November 25 and December 10 2007.

¶6. (SBU) The initiative will also establish in Bukavu, South Kivu a safe house for survivors of sexual violence who cannot return to their families and communities and who may require long term medical follow-up care. The safe house will provide access to education and income generation activities with a distinct focus on leadership training.

#### Mass Graves

¶7. (SBU) The delegation was brought to a site in Rubare where mass graves were discovered in September. A MONUC human rights division team had accompanied the DRC Military Auditor to conduct a preliminary investigation of the sites. Nine corpses in total were found; 1 corpse in one of the sites, 6 corpses in a second site, and 2 corpses in a third site.

¶8. (SBU) The camp where the corpses were found was reported to be the former headquarters of the 2nd Battalion of the Bravo Brigade who, according to MONUC, later left the camp to support Laurent Nkunda's CNDP. Following the initial visit, the sites were not secured, and according to MONUC, FARDC did not follow up with a proper investigation. No final report was shared with MONUC.

#### USG Initiative against Gross Human Rights Abuses

¶10. (U) The State Department will begin in January a series of military justice training for conducting sex crime investigations. The primary audience will be DRC military judicial police

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investigators, but may also include related military prosecutors and civilian investigators, prosecutors and defense counsel. Each training seminar will last one-week and will be conducted in Kinshasa and each of the ten provincial capitals over the course of a year.

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